

**Council on Postsecondary Education  
Crime Reporting Guidelines  
Annual Minger Report  
KRS 164.9485**

Grouped by Michael Minger Act Crime Categories under KRS 164.948(3)

Note: All FBI UCR definitions were quoted directly from the Uniform Crime Reporting Handbook published by the FBI (1984) or Crime in the United States, 1997, published by the FBI (1998); all FBI NIBRS definitions were quoted directly from the Uniform Crime Reporting Handbook: NIBRS Edition published by the FBI (1992).

The KRS crime descriptions are generalized statements and do not quote the KRS exactly. Please refer to the Kentucky Revised Statutes and the Kentucky Criminal Law Manual for exact wording.

**Murder**

**NIBRS Group and Definition - Group A Murder & Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another (FBI, 1992, p. 17).

**Manslaughter**

**NIBRS Group and Definition - Group A Negligent Manslaughter:** The killing of another person through negligence (FBI, 1992, p. 17).

**Reckless Homicide**

**KRS 507.050 – Reckless Homicide:** Recklessly causing the death of another person.

**Assault**

**NIBRS Group and Definition - Group A Aggravated Assault:** An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness (FBI, 1992, p. 12)

**NIBRS Group and Definition - Group A Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness (FBI, 1992, p. 12).

## **Menacing**

**KRS 508.050 – Menacing:** Intentionally placing another person in reasonable apprehension of imminent physical injury.

## **Wanton Endangerment**

**KRS 508.060 – Wanton Endangerment in the first degree:** When under circumstances manifesting extreme indifference to the value of human life, a person wantonly engages in conduct which creates a substantial danger of death or serious physical injury to another person.

**KRS 508.070 – Wanton Endangerment in the second degree:** Wantonly engaging in conduct that creates a substantial danger of physical injury to another person.

## **Terroristic Threatening**

**NIBRS Group and Definition - Group A Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack (FBI, 1992, p. 12).

## **Stalking**

**KRS 508.140 – Stalking in the first degree:** Intentionally stalking another person and making an explicit or implicit threat with the intent to place that person in reasonable fear of sexual contact, serious injury, or death; and a protective order has been issued, or a criminal complaint is currently pending, or the defendant has been convicted of a Class A misdemeanor against the same victim.

**KRS 508.150 – Stalking in the second degree:** Intentionally stalking another person and making an explicit or implicit threat with the intent to place that person in reasonable fear of sexual contact, serious injury, or death.

See also **KRS 508.130** for definitions of stalking, course of conduct and protective order.

## **Sex Offenses, Forcible**

**NIBRS General definition of a Sex Offense:** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent (FBI, 1992, p. 21).

**NIBRS Group and Definition - Group A Forcible Rape:** The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth) (FBI, 1992, p. 21).

**NIBRS Group and Definition - Group A Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity (FBI, 1992, p. 21).

**NIBRS Group and Definition - Group A Sexual Assault with an Object:** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia (FBI, 1992, p. 21).

**NIBRS Group and Definition - Group A Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of this/her youth or because of his/her temporary or permanent mental or physical incapacity (FBI, 1992, p. 21).

### **Sex Offenses, Non-Forcible**

**NIBRS Group and Definition - General Definition.** Unlawful, non-forcible sexual intercourse (FBI, 1992, p. 22).

**NIBRS Group and Definition - Group A Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law (FBI, 1992, p. 22).

**NIBRS Group and Definition - Group A Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent (FBI, 1992, p. 22).  
( *If this is non-forcible, then rape, sodomy, and sex abuse that are only statutory are non-forcible.*)

### **Burglary**

**NIBRS Group and Definition Group A Burglary/Breaking and Entering -** The unlawful entry into a building or other structure with the intent to commit a felony or a theft (FBI, 1992, p. 13).

### **Criminal Damage to Property**

**UCR Part and Definition - Part II Vandalism** The willful or malicious destruction, injury, disfigurement, or defacement of any public or private property, real or personal, without consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law. This offense covers a wide range of malicious behavior directed at property, such as: cutting auto tires, drawing obscene pictures on public restroom walls, smashing windows, destroying school records, tipping over gravestones, defacing library books, etc. Count all arrests for above, including attempts (FBI, 1984, p. 79-80). (See FBI, 1998, p. 407 for a shorter version).

## **Arson**

**UCR Part and Definition - Part I Arson:** Any willful or malicious burning or attempt to burn, with or without the intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc. (FBI, 1984, p. 30; FBI, 1998, p. 407).

## **Theft**

**NIBRS Group and Definition - Group A Larceny/Theft Offenses:** The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession, of another person (FBI, 1992, p. 18).

**NIBRS Group and Definition - Group A Pocket-Picking:** The theft of articles from another person's physical possession by stealth where the victim usually does not become immediately aware of the theft (FBI, 1992, p. 18).

**NIBRS Group and Definition - Group A Purse-Snatching:** The grabbing or snatching of a purse, handbag, etc., from the physical possession of another person (FBI, 1992, p. 18).

**NIBRS Group and Definition - Group A Shoplifting:** The theft, by someone other than an employee of the victim, of goods or merchandise exposed for sale (FBI, 1992, p. 18).

**NIBRS Group and Definition - Group A Theft from Motor Vehicle:** The theft of articles from a motor vehicle, whether locked or unlocked (FBI, 1992, p. 19).

**NIBRS Group and Definition - Group A Theft of Motor Vehicle Parts or Accessories:** The theft of any part or accessory affixed to the interior or exterior of a motor vehicle in a manner which would make the item an attachment of the vehicle or necessary for its operation (FBI, 1992, p. 19).

**NIBRS Group and Definition - Group A Theft from Building:** A theft from within a building which is either open to the general public or where the offender has legal access (FBI, 1992, p. 18).

**NIBRS Group and Definition - Group A Theft from a Coin-Operated Machine or Device:** A theft from a machine or device which is operated or activated by the use of coins (FBI, 1992, p. 19).

**NIBRS Group and Definition - Group A All other Larceny:** All thefts which do not fit any of the definitions of the specific subcategories of Larceny/Theft listed above (FBI, 1992, p. 19).

**UCR Part and Definition - Part II Embezzlement:** Misappropriation or misapplication of money or property entrusted to one's care, custody, or control. Include attempts. (FBI, 1984, p. 79; FBI, 1998, p. 407).

**NIBRS Group and Definition - Group A Embezzlement:** The unlawful misappropriation by an offender to his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control (FBI, 1992, p. 15).

## **Motor Vehicle Theft**

**NIBRS Group and Definition - Group A Motor Vehicle Theft:** The theft of a motor vehicle. A motor vehicle is defined for UCR purposes as a self-propelled vehicle that runs on land surface and not on rails and which fits one of the following property descriptions: automobiles, buses, recreational vehicles, trucks, or other motor vehicles (FBI, 1992, p. 20).

## **Robbery**

**NIBRS Group and Definition - Group A Robbery:** The taking, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm (FBI, 1992, p. 20).

## **Weapons Possession**

**NIBRS Group and Definition - Group A Weapon Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. Include violations such as the manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc. silencers; and furnishing deadly weapons to minors (FBI, 1992, p. 22).

## **Criminal Attempt**

**KRS 506.010 – Criminal Attempt:** Intentionally engaging in conduct which would constitute the crime if the attendant circumstances were as he believes them to be; or intentionally doing or omitting to do anything which is a substantial step in a course of conduct planned to culminate in his commission of the crime; or engaging in conduct intended to aid another person to commit a crime, although the crime is not committed.

## **Drug-related Violations**

**NIBRS Group and Definition - General definition of Drug/Narcotic Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use (FBI, 1992, p. 14).

**NIBRS Group and Definition - Group A Drug Equipment Violations:** The unlawful manufacture, sale, purchase, possession, or transportation of equipment or devices utilized in preparing and/or using drugs or narcotics (FBI, 1992, p. 14).

## **Liquor Law Violations**

**NIBRS Group and Definition - Group B Liquor Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages. Driving under the influence and drunkenness violations are excluded. Included are violations of laws/ordinances prohibiting the maintenance of unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor; using a vehicle for the illegal transportation of liquor, etc.. (FBI, 1992, p. 24).

## **OTHER ALCOHOL VIOLATIONS (Not required by the Minger Act)**

### **Driving Under the Influence**

**NIBRS Group and Definition - Group B Driving Under the Influence:** Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic. This offense includes driving while intoxicated and operating a bus, train, streetcar, boat, etc., while under the influence (FBI, 1992, p. 23).

### **Drunkenness**

**NIBRS Group and Definition - Group B Drunkenness:** To drink alcoholic beverages to the extent that one's mental faculties and physical coordination are substantially impaired. Included are drunk and disorderly, common drunkard, habitual drunkard, and intoxication (FBI, 1992, p. 23).